

REMARKS

Applicant has reviewed and considered the Office Action mailed on October 3, 2003, and the references cited therewith.

None of the claims are amended or canceled. Claims 1-21 and 42-47 are pending in this application.

§ 102 Rejection of the Claims

Claims 1-3, 5-7, 10, 12, 14-21, 42, 44-45 and 47 were rejected under 35 USC § 102(e) as being anticipated by Johnson et al. (U.S. Patent No. 6,212,063).

Claims 1-3, 5-7, and 10

Applicant traverses the rejection of claim 1 since the cited reference does not teach each and every claim element arranged as in the claim. “Anticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (*emphasis added*).

Among other differences, Applicant cannot find in the cited reference a capacitor including a coupling member having a base surface directly attached to the capacitor stack and a portion at least partially extending through the feedthrough hole, “the coupling member having a mounting section,” and a feedthrough conductor having “a portion coupled to the mounting section.” The Office Action points to the cited reference as having a coupling member 120, 125 and a feedthrough conductor 130, 135. However, these are the same members in the cited reference. The reference generally refers to members 120, 125 as the feedthroughs and 130, 135 as the feedthrough pins of feedthroughs 120, 125. Thus, members 130, 135 are not mounted to a mounting section of members 120, 125. In contrast, they are an integral part of members 120, 125, and such a structure does not anticipate claim 1.

Claims 2-3, 5-7, and 10 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 12 and 14-15

Applicant traverses the rejection of claim 12 since the cited reference does not teach each and every claim element arranged as in the claim. For instance, a feedthrough assembly including a coupling member for attaching to a capacitor stack of the capacitor, "the coupling member having a mounting hole" and a surface adapted to directly attach to the capacitor stack and a feedthrough conductor having a "width dimensioned to fit within the mounting hole of the coupling member." Again, Applicant does not believe members 120, 125 of the cited reference have a mounting hole where member 130, 135 has a width dimensioned to fit within the mounting hole. As noted, members 103, 135 are integral portions of feedthroughs 120, 125. Claims 14 and 15 include each limitation of their parent claim and thus are also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 16-21

Applicant traverses the rejection of claim 16 since the cited reference does not teach each and every claim element arranged as in the claim. For instance, a capacitor including a coupling member having a first conductive surface contacting one or more of the conductive surfaces of the capacitor element and "second and third opposing conductive surfaces contacting the feedthrough conductor and extending through the feedthrough hole." Again, Applicant does not believe members 120, 125 of the cited reference have second and third opposing conductive surfaces contacting members 130, 135 and extending though the feedthrough hole. Claims 17-21 include each limitation of their parent claim and thus are also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 42 and 44

Applicant traverses the rejection of claim 42 since the cited reference does not teach each and every claim element arranged as in the claim. For instance, feedthrough assembly including a coupling member for attaching to a capacitor stack of the capacitor, the coupling member having a mounting hole and "a feedthrough conductor having a width dimensioned to fit within the mounting hole of the coupling member," wherein the feedthrough conductor is welded within

the mounting hole. As noted above, Applicant does not believe members 120, 125 of the cited reference have a mounting hole where member 130, 135 has a width dimensioned to fit within the mounting hole. Claim 44 includes each limitation of its parent claim and thus is also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 45 and 47

Applicant traverses the rejection of claim 45 since the cited reference does not teach each and every claim element arranged as in the claim. For instance, a feedthrough assembly including a coupling member for attaching to a capacitor stack of the capacitor, the coupling member having a mounting hole and "a feedthrough conductor having a width dimensioned to fit within the mounting hole of the coupling member," wherein the feedthrough conductor is crimped within the mounting hole. As noted above, Applicant does not believe members 120, 125 of the cited reference have a mounting hole where member 130, 135 has a width dimensioned to fit within the mounting hole. Claim 47 includes each limitation of its parent claim and thus is also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Allowable Subject Matter

Claims 4, 8-9, 13, 43 and 46 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has not rewritten the claims at this time since Applicant believes the parent claims are allowable. Applicant reserves the right to rewrite the claims at a later date.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 359-3267) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 359-3267

Date 12/30/03

By Peter C. Maki

Peter C. Maki
Reg. No. 42,832

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30 day of December, 2003.

Name

Dawn Suchy

Dawn Suchy

Signature

